

ORIGINAL

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ILLINOIS COMMERCE COMMISSION

STATE OF ILLINOIS
ILLINOIS COMMERCE COMMISSION

ILLINOIS 9/24/01
COMMERCE COMMISSION
2006 MAR 14 A 10:55

CHIEF CLERK'S OFFICE

Edward and Joan Jaros)

vs)

05-0849

Commonwealth Edison Company)

Complaint as to billing and/or)

Charges in Orland Park, Illinois)

COMPLAINANTS REPLY TO RESPONDENT, COMMONWEALTH
EDISON COMPANY, MOTION TO DISMISS

Now comes the complainants, EDWARD AND JOAN JAROS, and
hereby reply to Respondent, COMMONWEALTH EDISON COMPANY,
through their attorney, MARK L. GOLDSTEIN, and moves the
Administrative Law Judge ("ALJ") and the Illinois Commerce Commission
("Commission") to consider all the facts filed in the Formal
Complaint by the Complainants Edward and Joan Jaros and the additional
evidence included hereto.

1. Complainants were overcharged for electric service at their home
located at 14401 South Wolf Road, Orland Park, Illinois, from
December 28, 2001 to January 30, 2002 as stated in their Formal
Complaint filed December 22, 2005. Attached Exhibit 1.

2. Complainants again contend that they compared their electric bills for the previous months and years when they were at home using their electric appliances but in this instance were out of town for two weeks of the subject billing period.
3. COMPLAINANTS' CLAIM SHOULD NOT BE BARRED BY THE STATUTE OF LIMITATIONS Section 9-252 of the Illinois Utilities Act (PUA") (220 ILCS 5/9-252) because of the negligence of the Service Representatives and Customer Relations employees of Commonwealth Edison Company to reply to the several attempts by the complainants to correct Respondent's error in billing procedures. Attached as Exhibit 2 the subject bill in question with many notations of the names of Service Representatives and Customer Relations names involved.

Complainant does not recall if there was a pre-empted message "THIS CALL MAY BE RECORDED FOR QUALITY CONTROL" each time complainant tried to communicate.

4. In another attempt to rectify the error in billing, Supervisor Peter gave Complainant the name and address of Ron Davis, Supervisor Commonwealth Edison Company, 3500 N. California, Chicago, Illinois, 60618, to write with the information . Exhibit 3 attached. To date the Complainants have not received a reply to this letter.
5. On August 30, 2002, Ms. Joy Gwilliam, Customer Relations, mailed a letter to the Complainants stating she had made several attempts to reach them. The Complainants have an answering machine in operation just for this reason to be able to communicate with persons calling when we are unable to answer our calls. We did not have any messages from Ms. Joy Gwilliam. As noted on the correspondence (Exhibit 4 attached) we attempted to reach Ms. Gwilliam on September 5, 2002. There is no notation that we received a return phone call to our message we left with our name and phone number.
6. On September 8, 2003, at <https://www.exeloncorp.com/ComEd/EED/logiccode/thankyou.asp>. Complainants again attempted to contact Commonwealth Edison Customer Service and

received an on-line service request, transaction number CU51093746, but Complainants did not receive any further contact or help in this matter. Exh. 5 attached

7. The only reply the Complainants have received through the Years, from the Respondent, is a FINAL NOTICE ISSUED September 1, 2005.

Complainant called the 1-800-203-0684 number as directed for more information and talked with Ms. C I Elliott. Ms. Elliott stated they no longer have any records going back to 2001 and 2002 and instructed the Complainants to fax a copy of the correspondence to Ron Davis to her. Exhibit 6 attached.

Again, Complainants received no follow up or reply.

8. Complainants received another FINAL NOTICE ISSUED September 29, 2005. Attached Exhibit 7.

Due to lack of response from Respondent's Service Representatives or Customer Relations, Complainants called the Illinois Commerce Commission on October 1, 2005,

and left name and phone number with a request for Carlos Ruiz to call the Complainants. Attached Exhibit 8 Correspondence from Carlos Ruiz dated October 17, 2005, states the Respondent has been trying to reach the Complainants. The Complainants did not have any messages on their answering machine documenting the attempts.

However, Complainants did have other unrelated messages on their answering machine at that time.

On October 17, 2005, Complainants phoned and a left message with Joy Gwilliam's voice mail to please return the phone call.

No reply. On October 18, 2005, Complainants left a message on Joy Gwilliam's voice mail at 9:50, and 11:23. Joy Gwilliam returned a call at 4:05 with rude out of control conversation and telling the Complainant to stop talking and continued to verbally abuse the Complainant. Complainant informed Joy Gwilliam that this was the end of the conversation and her behavior was not acceptable and hung up.

9. Complainant received another notice from Respondent with

FINAL NOTICE ISSUED on November 28, 2005.

Attached Exhibit 9

10. Upon receipt of Exhibit 9, Complainants contacted Carlos Ruiz and instructed Complainants to submit a letter with the background of our complaint and request a meeting with the Respondent and Illinois Commerce Commission to resolve the problem. Attached Exhibit 10 dated December 11, 2005.
11. Complainants received a phone call from John Parise, Jr, Regulatory Strategies Senior Administrator for Commonwealth Edison Company, on December 11, 2005. John Parise, Jr. stated during the conversation that the reason our utility bill was probably higher that month was he noticed there were several EST readings of the Complainants meter for the year 2001. Complainant did not agree with John Parise, Jr.'s explanation of the over charged utility bill and investigated the monthly activity statements from the Respondent for the time period 12/28/00 to 1/30/01 and noted only one statement as a EST meter reading 12/28/2000 to 1/30/2001. The time period

involved in the Complainants' Formal Complaint for over charge is 12/28/01 to 1/30/02 which is a year later and not in the same time frame. Attached Exhibit 11 Copy of activity statement for the EST reading 12/28/2000 to 1/30/2001.

12. The Affidavit submitted by John Parise, Jr. failed to attach copies of the activity statements for the period that the Complainants are challenging. John Parise, Jr. only attached ComEd Account Activity Statements for 1/15/2004 to 12/30/2005. This Information is immaterial, inasmuch as, the current charges for the time period 1/15/2004 to 12/30/2005 were paid only the amount of the over charged Activity statement was not, and the alleged late payments should be dismissed due to the futile results of the Complainants attempts to reconcile the problem and lack of efforts of the Respondent's Service Representatives and Customer Relations personnel.

Wherefore, the Complainants, Edward and Joan Jaros Prays and


Respectfully Requests that Commonwealth Edison be required to correct the

05-0849

Reply to Repondent

Subject activity statement and credit the alleged late fees for the years 2002,
2003, 2004, 2005, 2006 as indicated.

Respectfully submitted,
THE COMPLAINANTS


Edward Jaros


Joan Jaros

Edward and Joan Jaros
Complainants
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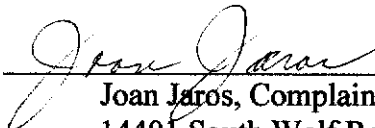
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NOTICE OF FILING

TO: Parties on Certificate of Service

PLEASE TAKE NOTICE on March 7, 2006 I caused to be filed with the
Chief Clerk of the Illinois Commerce Commission a copy of the Reply
To Respondent, Commonwealth Edison Company's Motion to Dismiss,
which is enclosed, and is hereby served upon you



Joan Jaros, Complainant
14401 South Wolf Road
Orland Park, Illinois, 60467
(708) 349-9488

CERTIFICATE OF SERVICE

I hereby certify that on March 7, 2006, I served the Reply to Respondent, Commonwealth Edison Company's Motion to Dismiss, by causing copies thereof to be placed in the U. S. Mail, first class postage affixed, addressed to each parties indicated below:

Ms. Elizabeth A. Rolando
Chief Clerk
Illinois Commerce Commission
527 East Capitol Avenue
Springfield, IL 62701

Mr. Ian Brodsky
Administrative Law Judge
Illinois Commerce Commission
160 N. LaSalle St., Ste. C-800
Chicago, IL 60601

Mark L. Goldstein
Mark L. Goldstein, P.C.
108 Wilmot Road, Suite 330
Deerfield, IL 60015



Joan Jaros